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**Select Committee on Hood Canal  
Committee**

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**HB 2105**

**Brief Description:** Including Hood Canal in the on-site sewage grant program.

**Sponsors:** Representatives Chase, DeBolt, Eickmeyer, Hinkle, Kessler, O'Brien, McCune, Ormsby, Hankins, Clements, Hasegawa, Ericks, Upthegrove, Moeller, Flannigan, Appleton, Hunt and McCoy.

**Brief Summary of Bill**

- Includes Jefferson, Kitsap, and Mason Counties in the Puget Sound Action Team's existing onsite sewage grant program for Puget Sound and for Pacific and Grays Harbor Counties.
- Authorizes the Puget Sound Action Team to use appropriated or other funding for grants in Jefferson, Kitsap, and Mason Counties.

**Hearing Date:** 2/22/05

**Staff:** Caroleen Dineen (786-7156).

**Background:**

Shellfish - On-site Sewage Grant Program

The state established oyster reserves in the Puget Sound and Willapa Harbor to furnish shellfish to growers and processors and to stock public beaches. In 1985 the Legislature directed the former Department of Fisheries to develop an oyster reserve management plan so that the oyster reserves could be managed on a sustained yield basis. The Department of Natural Resources (DNR) may lease first or second class tidelands that have been set aside as oyster reserves. Proceeds from the land leases or shellfish sales from oyster reserve lands are deposited into the oyster reserve land account.

Legislation enacted in 2001 [E2SHB 1658, enacted as Chapter 273, Laws of 2001] directed the Puget Sound Action Team (PSAT) to establish a shellfish - on-site sewage grant program for Puget Sound and for Pacific and Grays Harbor Counties. The PSAT awards grants to improve on-site sewage systems in areas that could adversely affect water quality in commercial and recreational shellfish growing areas. In administering the grant program, the PSAT must enter into a memorandum of understanding with each participating local health jurisdiction establishing

income eligibility requirements for individual grant applicants and specifying other grant program terms and conditions. A grant recipient must enter into an agreement to maintain the system according to local health jurisdiction requirements.

Funding for the grant program is provided with a portion of the oyster reserve land account. In awarding grant funds, the PSAT must try to attain geographic equity between Willapa Bay and the Puget Sound areas. Attaining geographic equity means issuing grants in an area at a level matching the funds generated from the oyster reserve lands from that area. The PSAT may recover administrative costs not to exceed 10 percent of the grant program.

The PSAT is required to give first priority in the Puget Sound area to property located within a shellfish protection district or designated as an area of special concern according to the state Department of Health rules. For grants in Grays Harbor and Pacific Counties, the PSAT must give first priority to preventing the deterioration of water quality in areas where commercial or recreational shellfish are grown.

### Hood Canal's Low Dissolved Oxygen Concentrations

Hood Canal is a glacier-carved fjord approximately 60 miles in length with approximately 180 miles of shoreline. Portions of Hood Canal have had low dissolved oxygen concentrations for many years. The University of Washington recorded low dissolved oxygen concentrations in the 1950s. In recent years, low dissolved oxygen concentration conditions and significant fish death events have been recorded on Hood Canal. The 2004 dissolved oxygen concentrations in southern Hood Canal were the lowest recorded concentrations for the water body.

The Puget Sound Action Team (PSAT) is a state agency that develops and coordinates water quality programs in Puget Sound. The Hood Canal Coordinating Council (HCCC) is a group of county and tribal governments established to address water quality problems and natural resource issues in the Hood Canal watershed. In May 2004 the PSAT and HCCC prepared a report - the *Preliminary Assessment and Corrective Plan*(PACA) - assessing sources of nitrogen introduced into Hood Canal. The PACA identifies six categories of human-influenced nitrogen sources for Hood Canal and specifies recommendations for corrective actions for these categories. The PACA identifies human sewage as a major human-influenced nitrogen source for Hood Canal.

### **Summary of Bill:**

The existing shellfish - on-site sewage grant program is renamed the on-site sewage grant program, and its provisions are amended to include the Hood Canal area. The Puget Sound Action Team (PSAT) may award grants under this program in Jefferson, Kitsap, and Mason Counties within the watersheds that drain to Hood Canal south of a line projected from Tala Point in Jefferson County to Foulweather Bluff in Kitsap County.

For grants awarded in Jefferson, Kitsap, and Mason Counties, the PSAT may use funds appropriated by the Legislature, federal funds, and any funds generated from oyster reserve lands in these three counties. Grant fund provisions for Puget Sound and Pacific and Grays Harbor Counties remain the same.

**Appropriation:** None.

**Fiscal Note:** Requested on 2/17/2005.

**Effective Date:** The bill contains an emergency clause and takes effect immediately.